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Mr. Kuhn frankly says that they are in no sense intended as a full exposition of the law upon the topics treated. He has made a brave attempt, but, from the nature of things, it was impossible for him in that way to make a really valuable contribution. The leading cases on the topics treated are not in all instances given, while a number of the propositions of law are inaccurately or too broadly stated. This latter defect is due to form rather than to real error; but because of it the notes as they stand should be used with some caution. To those interested in the development of Conflict of Laws the book will still be recommended by the amount of learning and useful information gathered within its covers.

S. H. E. F.

**LAW OF THE DOMESTIC RELATIONS**, embracing Husband and Wife, Parent and Child, Guardian and Ward, Infancy, and Master and Servant. By James Schouler. Boston: Little, Brown, and Company. 1905. pp. xxxix, 421. 8vo.

To praise a law-book because it contains so much which is not law, is ordinarily a doubtful compliment to the author. When that confused subject usually described under the title "Domestic Relations" is under consideration, however, one is prepared to see every rule suspended or reversed. This branch of law our legislatures have so diverted from its original channel that practitioners of to-day are frequently in danger of losing sight of the sources from which it starts. Yet the original common law so controls and modifies the meaning of the various sweeping statutory changes, that any opinion based upon the statutes alone is likely to be most misleading. Accordingly, the writer of the elementary treatise under discussion, who must perforce cover but a small part of the law, has chosen wisely in confining himself to the common law rules bearing upon the legal position of husband and wife, parent and child, infants, and guardian and ward, abrogated in part though they may be, and in dismissing with brief mention the widely varying statutory changes which have taken place in the different jurisdictions.

As a statement of the underlying common law this work is in most respects to be commended. Its clearness of diction and logical development of thought are refreshing. It is precisely the kind of book to be read through with profit by a person unfamiliar with the subject, but with this caution, that the reader must not attribute to it infallibility. The author, unfortunately, has a slight tendency to follow too closely the current form of statement rather than to seek for the substance of the law. For instance, in treating of the liability of infants for necessities, he lays it down in the old way, that the infant is bound by his contract for necessities, and fails to impress the fact that what the infant is bound to do is not to fulfill the contract by paying the contract price, but rather to pay the fair value of the necessities. In the same way he speaks on page 65 of the liability of the husband for necessities properly furnished to the wife as founded on the wife's agency for the husband, and yet concedes on page 82 that the usual principles of agency are inadequate to explain the law. A similar fault is disclosed in his tendency to state moral duty in terms of legal obligation. A conspicuous instance is found in the chapter upon the duties of parents as to their children, in which the author enumerates as legal duties obligations of protection, maintenance, and education, which the common law rather commends as good morals than enforces by appropriate process. As to the chapter concerning void and voidable acts of an infant, so much stress is laid upon the former that the reviewer feels some doubt whether the inexperienced reader might not be misled into thinking the proportion of void acts to voidable far greater than it really is. An unusual omission in the work is that of the names of the cases in many citations. Not the least entertaining part is the homily on marriage, beginning on page 12, in which the present day tendency toward the fuller independence of woman is somewhat deprecated. Further enumeration of defects, however, might convey a false impression of what is in reality a very useful book for the elementary student seeking a general knowledge of that branch of the law of which it treats.

H. LE B. S.